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Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council

25/11.
Question of the realization in all countries of economic, social and cultural rights

The Human Rights Council,

Guided by the principles of economic, social and cultural rights enshrined in international human rights instruments, including the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights,

Recalling that the Vienna Declaration and Programme of Action, the 2005 World Summit Outcome and General Assembly resolution 60/251 of 15 March 2006, in which the Assembly established the Human Rights Council, all affirm that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing and must be treated in a fair and equal manner, on the same footing and with the same emphasis, and recalling also that the promotion and protection of one category of rights should never exempt States from the promotion and protection of the other rights,

Recalling also the United Nations Millennium Declaration, in which the Heads of State and Government affirmed their commitment to spare no effort to promote democracy and strengthen the rule of law, as well as respect for all internationally recognized human rights and fundamental freedoms, including the right to development,

Recalling further its resolutions on the question of the realization in all countries of economic, social and cultural rights, and the resolutions adopted by the Commission on Human Rights on the same topic,

Reaffirming the obligations and commitments to take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of available resources, with a view to achieving progressively the full realization of economic, social and cultural rights by all appropriate means, including particularly the adoption of legislative measures,

Recognizing that the entry into force of, inter alia, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, on 5 May 2013, is a step forward in strengthening the promotion and protection of economic, social and cultural rights worldwide,

Underlining the imperative need to accelerate efforts towards the achievement of the Millennium Development Goals, and recognizing the crucial importance of giving due consideration to the realization of economic, social and cultural rights in the elaboration of the post-2015 development agenda,

Underlining also the human rights principles of, inter alia, non-discrimination, human dignity, equity, equality, universality and participation, as affirmed in international human rights law and in the Vienna Declaration and Programme of Action, and emphasizing that the rights enunciated in the International Covenant on Economic, Social and Cultural Rights are to be realized in a non-discriminatory manner,

1. *Calls upon* all States to give full effect to economic, social and cultural rights by, inter alia, taking all appropriate measures to implement the Human Rights Council resolutions on the question of the realization in all countries of economic, social and cultural rights, the most recent of which is resolution 22/5 of 21 March 2013;

2. *Calls upon* all States that have not yet signed and ratified the International Covenant on Economic, Social and Cultural Rights to consider doing so, and calls upon States parties to consider reviewing their reservations thereto;

3. *Welcomes* the entry into force of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights on 5 May 2013 and the fact that 12 States have become parties to the Optional Protocol, and that 45 have signed it, and encourages all States that have not yet signed and ratified the Optional Protocol to consider doing so and also to consider making declarations under articles 10 and 11;

4. *Takes note with appreciation* of the report of the Secretary-General on the question of the realization in all countries of economic, social and cultural rights,[1] with a special focus on access to justice relating to violations of economic, social and cultural rights, submitted pursuant to Human Rights Council resolution 22/5, and of the recommendations contained therein;

5. *Underlines* the importance of an effective remedy for violations of economic, social and cultural rights, and in this regard of judicial, quasi-judicial and other appropriate remedies, including procedures initiated by or on behalf of individuals or, as appropriate, groups of individuals, and of adequate procedures to avoid infringements of such rights;

6. *Encourages* States to ensure that effective judicial, quasi-judicial and other appropriate remedies for violations of economic, social and cultural rights are accessible to everyone without discrimination, including such aspects as physical accessibility, affordability, access to information, equality of access and necessary legal assistance;

7. *Calls upon* States to ensure due process in remedies relating to economic, social and cultural rights;

8. *Welcomes* the steps taken at the national level to implement economic, social and cultural rights, including the enactment of appropriate legislation and adjudication by national courts;

[1] A/HRC/25/31.

9. *Reiterates* that respect for and the promotion and protection of human rights are an integral part of effective work towards achieving internationally agreed development goals, including the Millennium Development Goals, and emphasizes the central role of the United Nations in enhancing global partnerships for development with a view to creating a supportive global environment for the attainment of the Millennium Development Goals, as well as the importance of giving due consideration to equality, social protection and accountability in the context of the realization of economic, social and cultural rights in the elaboration of the post-2015 development agenda;

10. *Underlines* the importance of the joint United Nations Social Protection Floor Initiative for the realization of economic, social and cultural rights, and in this regard acknowledges the adoption by the International Labour Conference of recommendation No. 202 (2012) concerning national floors of social protection;

11. *Notes with interest* the work carried out by the Committee on Economic, Social and Cultural Rights to assist States parties in fulfilling their obligations, including through the submission of general comments and the consideration of periodic reports;

12. *Also notes with interest* the work of other relevant treaty bodies and special procedures in the promotion and protection of economic, social and cultural rights within their respective mandates;

13. *Encourages* enhanced cooperation and, as appropriate, increased coordination between the Committee on Economic, Social and Cultural Rights and United Nations bodies, specialized agencies and programmes, mechanisms of the Human Rights Council and other human rights treaty bodies whose activities have a bearing on economic, social and cultural rights, in a manner that respects their distinctive mandates and promotes their policies, programmes and projects;

14. *Recognizes and encourages* the important contributions of regional organizations, national human rights institutions and civil society, including non-governmental organizations and academic and research institutions, to the question of the realization and enjoyment of economic, social and cultural rights;

15. *Welcomes* the activities carried out by the Office of the United Nations High Commissioner for Human Rights on the promotion of economic, social and cultural rights, mainly through technical cooperation, the work of its field offices, its relevant reports to United Nations bodies, the development of in-house expertise, including on human rights indicators, and its publications and studies on related issues;

16. *Requests* the Secretary-General to continue to prepare and submit to the Human Rights Council an annual report on the question of the realization in all countries of economic, social and cultural rights under agenda item 3, with a special focus on the importance of social protection floors for the realization of economic, social and cultural rights;

17. *Decides* to remain seized of this issue and to consider taking further action in order to implement the present resolution.

54th meeting
27 March 2014

[Adopted without a vote.]

United Nations A/HRC/RES/25/12

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Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council

25/12. Freedom of religion or belief

The Human Rights Council,

Recalling General Assembly resolution 36/55 of 25 November 1981, by which the General Assembly proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,

Recalling also article 18 of the International Covenant on Civil and Political Rights, article 18 of the Universal Declaration of Human Rights and other relevant human rights provisions,

Recalling further Human Rights Council resolution 22/20 of 22 March 2013, and other resolutions adopted by the Council, the General Assembly and the Commission on Human Rights on the freedom of religion or belief or the elimination of all forms of intolerance and of discrimination based on religion or belief,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

Recalling that States have the primary responsibility to promote and protect human rights, including the human rights of persons belonging to religious minorities, including their right to exercise their religion or belief freely,

Deeply concerned at continuing acts of intolerance and violence based on religion or belief against individuals, including persons belonging to religious communities and religious minorities around the world,

Underlining the importance of education in the promotion of tolerance, which involves the acceptance by the public of and its respect for diversity, including with regard to religious expression, and underlining also the fact that education, in particular at school, should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

1. *Stresses* that everyone has the right to freedom of thought, conscience and religion or belief, which includes the freedom to have or not to have, or to adopt, a religion or belief of one's choice and the freedom, either alone or in community with others and in public or private, and to manifest one's religion or belief in teaching, practice, worship and observance, including the right to change one's religion or belief;

2. *Emphasizes* that freedom of religion or belief and freedom of expression are interdependent, interrelated and mutually reinforcing, and stresses further the role that these rights can play in the fight against all forms of intolerance and discrimination based on religion or belief;

3. *Expresses deep concern* at emerging obstacles to the enjoyment of the right to freedom of religion or belief, as well as instances of religious intolerance, discrimination and violence, inter alia:

(*a*) The increasing number of acts of violence directed against individuals, including persons belonging to religious minorities in various parts of the world;

(*b*) The rise of religious extremism in various parts of the world that affects the rights of individuals, including persons belonging to religious minorities;

(*c*) Incidents of religious hatred, discrimination, intolerance and violence, which may be manifested by derogatory stereotyping, negative profiling and the stigmatization of individuals on the basis of their religion or belief;

(*d*) Instances, both in law and in practice, that constitute violations of the fundamental right to freedom of religion or belief, including of the individual right to publicly express one's spiritual and religious beliefs, taking into account the relevant articles of the International Covenant on Civil and Political Rights, as well as other international instruments;

(*e*) Constitutional and legislative systems that fail to provide adequate and effective guarantees of freedom of thought, conscience, religion and belief to all, without distinction;

(*f*) Attacks on religious places, sites and shrines, as well as vandalism of cemeteries, in violation of international law, in particular international human rights law and international humanitarian law;

4. *Condemns* all forms of violence, intolerance and discrimination based on or in the name of religion or belief, and violations of the freedom of thought, conscience, religion or belief, as well as any advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, whether it involves the use of print, audiovisual or electronic media or any other means;

5. *Also condemns* violence and acts of terrorism, which are increasing in number, targeting individuals, including persons belonging to religious minorities across the world;

6. *Emphasizes* that no religion should be equated with terrorism, as this may have adverse consequences on the enjoyment of the right to freedom of religion or belief of all members of the religious community concerned;

7. *Also emphasizes* that States should exercise due diligence to prevent, investigate and punish acts of violence against persons belonging to religious minorities, regardless of the perpetrator, and that failure to do so may constitute a human rights violation;

8. *Urges* States to step up their efforts to promote and protect freedom of thought, conscience and religion or belief, and to this end:

(*a*) To ensure that their constitutional and legislative systems provide adequate and effective guarantees of freedom of thought, conscience and religion or belief to all, without distinction, by, inter alia, the provision of access to justice and effective remedies in cases where the right to freedom of thought, conscience and religion or belief, or the right to freely practise one's religion, including the right to change one's religion or belief, is violated;

(*b*) To implement all accepted universal periodic review recommendations relating to the promotion and protection of freedom of religion or belief;

(*c*) To ensure that no one within their jurisdiction is deprived of the right to life, liberty or security of person because of religion or belief, and that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment, or arbitrary arrest or detention on that account, and to bring to justice all perpetrators of violations of these rights;

(*d*) To end violations of the human rights of women, and to devote particular attention to abolishing practices and legislation that discriminate against women, including in the exercise of their right to freedom of thought, conscience and religion or belief;

(*e*) To ensure that no one is discriminated against on the basis of his or her religion or belief in their access to, inter alia, education, medical care, employment, humanitarian assistance or social benefits, and to ensure that everyone has the right and the opportunity to have access, on general terms of equality, to public services in their country, without any discrimination on the basis of religion or belief;

(*f*) To review, whenever relevant, existing registration practices in order to ensure that such practices do not limit the right of all individuals to manifest their religion or belief, either alone or in community with others and in public or private;

(*g*) To ensure that no official documents are withheld from the individual on the grounds of religion or belief, and that everyone has the right to refrain from disclosing information concerning their religious affiliation in such documents against their will;

(*h*) To ensure, in particular, the right of all individuals to worship, assemble or teach in connection with a religion or belief and their right to establish and maintain places for these purposes, and the right of all individuals to seek, receive and impart information and ideas in these areas;

(*i*) To ensure that, in accordance with appropriate national legislation and in conformity with international human rights law, the freedom of all individuals, including persons belonging to religious minorities, to establish and maintain religious, charitable or humanitarian institutions is fully respected and protected;

(*j*) To ensure that all public officials and civil servants, including members of law enforcement bodies, and personnel of detention facilities, the military and educators, in the course of fulfilling their official duties, respect freedom of religion or belief and do not discriminate for reasons based on religion or belief, and that all necessary and appropriate awareness-raising, education or training is provided;

(*k*) To take all necessary and appropriate action, in conformity with international human rights obligations, to combat hatred, discrimination, intolerance and acts of violence, intimidation and coercion motivated by intolerance based on religion or belief, as well as any advocacy of religious hatred that constitutes incitement to discrimination, hostility and violence, with particular regard to persons belonging to religious minorities in all parts of the world;

(*l*) To promote, through the educational system and other means, mutual understanding, tolerance, non-discrimination and respect in all matters relating to freedom

of religion or belief by encouraging, in society at large, a wider knowledge of different religions and beliefs and of the history, traditions, languages and cultures of the various religious minorities existing within their jurisdiction;

(*m*) To prevent any distinction, exclusion, restriction or preference based on religion or belief that impairs the recognition, enjoyment or exercise of human rights and fundamental freedoms on an equal basis, and to detect signs of intolerance that may lead to discrimination based on religion or belief;

9. *Stresses* the importance of a continued and strengthened dialogue in all its forms, including among individuals of, and within, different religions and beliefs, and with broader participation, including of women, to promote greater tolerance, respect and mutual understanding, and takes note with appreciation of different initiatives in this regard, including the Alliance of Civilizations and the programmes led by the United Nations Educational, Scientific and Cultural Organization;

10. *Welcomes and encourages* the continuing efforts of all actors in society, including civil society organizations, religious communities, national human rights institutions, the media and other actors to promote the implementation of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and further encourages their work in promoting freedom of religion or belief and in highlighting cases of religious intolerance, discrimination and persecution;

11. *Calls upon* States to make use of the potential of education for the eradication of prejudices against and stereotypes of individuals on the basis of their religion or belief;

12. *Welcomes* the thematic report presented by the Special Rapporteur on freedom of religion or belief on the need to tackle manifestations of collective religious hatred,[1] and the recommendations therein;

13. *Also welcomes* the work of the Special Rapporteur, and concludes that there is a need for the continued contribution of the Special Rapporteur to the promotion, protection and universal implementation of the right to freedom of religion or belief;

14. *Urges* all Governments to cooperate fully with the Special Rapporteur and to respond favourably to his requests to visit their countries and to provide him with all necessary information to enable him to fulfil his mandate even more effectively;

15. *Requests* the Special Rapporteur to report annually to the Human Rights Council and to the General Assembly in accordance with their respective programmes of work;

16. *Decides* to remain seized of this question under the same agenda item and to continue its consideration of measures to implement the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.

54th meeting
27 March 2014

[Adopted without a vote.]

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[1] A/HRC/25/58.